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09/892,790	06/28/2001	Ki-Ook Park	P56525RE	1084
8439	7590	09/23/2008		
ROBERT E. BUSHNELL 1522 K STREET NW SUITE 300 WASHINGTON, DC 20005-1202			EXAMINER KLIMOWICZ, WILLIAM JOSEPH	
			ART UNIT	PAPER NUMBER
			2627	
			MAIL DATE	DELIVERY MODE
			09/23/2008 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

**Application No.**

09/892,790

**Applicant(s)**

PARK ET AL.

**Examiner**

William J. Klimowicz

**Art Unit**

2627

All participants (applicant, applicant's representative, PTO personnel):

(1) William J. Klimowicz.

(3) \_\_\_\_\_.

(2) George Stevens.

(4) \_\_\_\_\_.

Date of Interview: 17 September 2008.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal (copy given to: 1) ☐ applicant 2) ☒ applicant's representative)

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: claims of record.

Identification of prior art discussed: Crane et al. (US 5,721,650) and Chhabra (US 5,831,791).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/William J. Klimowicz/  
Primary Examiner, Art Unit 2627

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner.  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant maintained that the applied references to Chhabra (US 5,831,791) and Crane (US 5,721,650) are different from the instantly claimed invention, as set forth in independent claims 21, 31, 42, 52, 55 and 58. The Applicant maintained that the platforms (e.g., 204, 205 - see FIGS. 13a, 13b) as disclosed by Chhabra (and similarly within Crane) have a portion that is contiguous and offset from the principal plane, that extends to the front edge of the slider, albeit in a different plane, wherein such structure, since it is contiguous with the U-shaped air bearing platform, cannot read on the claimed invention since there is no spacing between the U-shaped air bearing platform and the front edge of the slider as set forth, e.g., in claim 21. To drive home the Examiner's point, the Examiner maintained that the inclined ramps are not truly air bearing platforms since their sole feature is to assist the slider in lifting off the disk surface during start-up, and not to provide an air bearing lift to the slider during recording/reproducing. To make the situation crystal clear, however, the Examiner queried about a hypothetical situation in looking at Figure 4 of the Applicant's own drawings, that if there was a thin strip of rail material connected at the apex of the U-shaped air bearing platform connecting at the juncture of rails (130, 131) along the longitudinal axis and reaching the front edge (or lead portion depending on the independent claim), would the the scope of the claim would not cover such a feature? The Applicant agreed that such a feature would not be covered by the claims, regardless of whether such a thin strip truly provided an air bearing or not. The point the Examiner was trying to make was that since the hypothesized thin strip does not really function as an air bearing "platform", the Examiner felt that such a modification would be covered by the claim since it is not truly an "air bearing" platform for carrying air during the recording/reproducing process. In theory, however, such a thin rail strip would indeed "bear" air to some degree - That is why the Examiner felt that the ramping-inclined rail structure forward of the platforms (204, 205) in Chhabra (and similarly in Crane) was applicable to the claim, since the inclined-ramp structure did not function as structure to support an air bearing surface during recording/reproducing, and thus was not considered an air bearing "platform." However, based in the interview held on September 17, 2008, it was determined that any structure contiguous to and forward of the U-shaped rail (e.g., to the left U-shaped rail in Applicant's FIG. 4), which extends to the leading edge or lead portion, would not be encompassed by the claims; this includes any thin bridges interconnecting pads (110a or 110b) to the portion of the U-shaped rail as seen in, e.g. FIG. 4 of Applicant's drawings, in a contiguous manner. Based on the discussion in the interview, and a general consensus of what is and is not a platform, the Examiner has agreed to favorably consider the claims, and will await the Applicant's response to this Interview Summary in a formal submission asking for a Request for Reconsideration. At that time, the Examiner will act on the case accordingly..